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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAMUEL L. GENSAW III, ET AL.

Plaintiffs,

v.

DEL NORTE COUNTY UNIFIED
SCHOOL DISTRICT, ET AL.

Defendants.

Civil Case No.: C 07 3009

PLAINTIFFS' RULE 26(f) REPORT

Hon. Wayne D. Brazil

In an effort to facilitate meaningful settlement negotiations, the parties to the above-entitled action have not yet conferred concerning Rule 26(a)(1) initial disclosures, the preservation of discoverable information, or the development of a discovery plan.

While plaintiffs have provided a courtesy copy of the Complaint to counsel for defendants, plaintiffs have not yet formally served the Complaint on the defendants. Plaintiffs have refrained from serving the Complaint to allow time for (1) the defendant School District to

1 respond to and produce documents requested by the ACLU pursuant to the Public Records Act;
2 (2) plaintiffs' counsel to review and analyze the voluminous documents produced by the School
3 District; and (3) meetings with the School District in an effort to resolve this case informally.
4 At this time, the requested documents have been produced, plaintiffs are far along in their
5 review and analysis of the documents, and the School District has agreed to meet with plaintiffs
6 during the first part of October to discuss possible settlement.

7 Should the results of this meeting suggest that further settlement negotiations are
8 unlikely to bear fruit, plaintiffs will commence discovery-related activities and will confer with
9 the defendants concerning Rule 26(a)(1) initial disclosures, the preservation of discoverable
10 information, and the development of a discovery plan.

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12 Respectfully submitted,

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14 DATED: September 10, 2007

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF NORTHERN CALIFORNIA

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16 By: _____

Jory C. Steele / *[Signature]*
Jory C. Steele

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18 DATED: September 10, 2007

COVINGTON & BURLING LLP

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20 By: _____

[Signature]
Donald W. Brown

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22 Attorneys for Plaintiffs
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